

**AMENDMENTS TO THE DRAWINGS**

The attached sheet(s) of drawings includes changes to Figure 3.

Figure 3 has been amended to change the text description for elements 304a, 304b, 304m, 314a, 314b and 314m from “decoder” to --encoder--, as set forth in the specification at page 6, line 17.

Attachment: Replacement sheet – Fig. 3

### **REMARKS**

Claims 1, 3, 4, and 6-16 are pending in the present application. Claims 1, 4, and 9-11 have been amended, claims 2 and 5 have been cancelled, and claims 1, 4, 9, and 11 are independent.

Reconsideration of the application, as amended, is respectfully requested.

#### **Claim for Priority**

It is gratefully acknowledged that the Examiner has recognized the Applicants' claim for foreign priority. In view of the fact that the Applicants' claim for foreign priority has been perfected, no additional action is required from the Applicants at this time.

#### **Information Disclosure Statement**

The Examiner has acknowledged the Information Disclosure Statement filed on December 31, 2003. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

#### **Drawings**

In the outstanding Office Action, the drawings have been objected to by the Examiner because in Figure 3, the text description for elements 304a-314m should be changed from "decoder" to --encoder--.

As will be seen by the above amendments, Figure 3 has been amended to correctly identify elements 304a-314m as encoders, as kindly suggested by the Examiner. No new matter has been entered.

Accordingly, reconsideration and withdrawal of the objection to the drawings and entry of the replacement sheet containing Figure 3 into the official records are respectfully requested.

Claim Objections

Claims 2 and 11 stand objected to because of certain informalities set forth in the outstanding Office Action.

As will be seen by the above amendments, claim 11 has been amended as suggested by the Examiner. Additionally, although claim 2 has been cancelled, the subject matter thereof has been incorporated into independent claim 1, and the informalities noted by the Examiner have been amended.

Accordingly, reconsideration and withdrawal of the objections to claims 2 and 11 are respectfully requested.

Allowable Subject Matter

The Examiner is thanked for the indication in the outstanding Office Action that claims 2, 3, 4, 6, and 8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim; that claim 10 would be allowable if rewritten to

overcome the rejection under 35 U.S.C. § 112, second paragraph; and that claims 11-16 are allowed.

While not conceding the appropriateness of the Examiner's rejections, the subject matter of allowable claim 2 has been incorporated into independent claim 1, and claim 2 has been cancelled. Accordingly, claim 1 is in condition for immediate allowance. Since claim 3 depends from allowable claim 1, claim 3 is also believed to be in condition for allowance.

Additionally, the subject matter of allowable claim 5 has been incorporated into independent claim 4, and claim 5 has been cancelled. Accordingly, claim 4 is in condition for immediate allowance. Since claims 6-8 depend, directly or indirectly, from allowable claim 4, these claims are also believed to be in condition for allowance.

In view of the above amendments, claim 1, 3, 4, and 6-8 are believed to be in condition for immediate allowance.

*Claim Rejections – 35 U.S.C. § 112*

Claims 9 and 10 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

The Examiner states that no element related to a quadrature amplitude modulation is mentioned in claim 9, and thus the claim is vague and indefinite since it is not clear why a transmitter is claimed as a scalable QAM transmitter but no component related to a QAM technique is included.

As will be seen by the above amendments, independent claim 9 has been amended to further recite "a quadrature amplitude modulator, for receiving the first component signal and modulating the first component signal using the QAM technique."

Accordingly, claim 9 is believed to be in condition for allowance.

As will be seen by the above amendments, minor editorial amendments have been made to claim 10. Accordingly, since claim 10 depends from claim 9, this claim is also believed to be in condition for allowance.

Therefore, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are respectfully requested.

*Claim Rejections – 35 U.S.C. §§ 102 and 103*

Claims 1 and 4 stand rejected under 35 U.S.C. § 102(a) as being anticipated by the Admitted Prior Art. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Admitted Prior Art. These rejections are respectfully traversed.

As noted above, claims 1 and 4 have been amended to include the allowable subject matter of now-cancelled claims 2 and 5, respectively. Accordingly, these claims are believed to be in condition for immediate allowance. Additionally, since claim 7 depends, indirectly, from allowable claim 4, claim 7 is also in condition for immediate allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

Conclusion

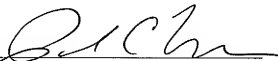
In view of the above amendments, Applicants believe the pending application is in condition for immediate allowance, and an early Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned, at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: May 15, 2008

Respectfully submitted,

By 

Paul C. Lewis  
Registration No.: 43,368  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicants

Attachment: Replacement Sheet of Drawings (Fig. 3)